

REMARKS

Claims 1-18 are pending in this application. By the Office Action, the Abstract is objected to, claims 9, 10, 14 and 15 are rejected under 35 U.S.C. §112, claims 1, 3, 14-16 and 17 are rejected under 35 U.S.C. §102, and claims 2, 4, 5-13 and 18 are rejected under 35 U.S.C. §103(a). By this Amendment, the Abstract is amended, claims 1, 9, 10, 15 and 17 are substantively amended, claims 1-8, 11-13 and 16-18 are amended to correct informalities, and claim 14 is cancelled. In consideration of the following, reconsideration of the application is respectfully requested.

I. Objection to the Abstract

The Abstract is objected to on various grounds. By this Amendment, the Abstract is amended to sufficiently disclose the invention and correct any informalities. Reconsideration and withdrawal of the objection are respectfully requested.

II. Rejection Under 35 U.S.C. §112

Claims 9, 10, 14 and 15 are rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement and claim 15 is rejected under 35 U.S.C. §112, second paragraph, for being indefinite. Claims 9, 10 and 15 are amended to address these informalities and claim 14 is cancelled. Applicants respectfully submit that amended claims 9, 10 and 15 overcome these rejections. Thus, reconsideration and withdrawal of the rejections is respectfully requested.

III. Rejection Under 35 U.S.C. §102

Claims 1, 3, 14-16 and 17 are rejected under 35 U.S.C. §102 over U.S. Patent No. 5,805,706 to Davis (Davis). By this amendment, claim 1 and 17 are amended to include the

subject matter of claim 14, claim 14 is cancelled and claim 15 is amended to depend from claim 1. Applicants respectfully traverse the rejection of claims 1 and 17 as amended.

The Office Action asserts that Davis teaches, in addition to all of the features of independent claims 1 and 17, a deciding means for deciding whether or not to encrypt data inputted by the data input interface as claimed in dependent claim 14. The Examiner cites Fig. 2A and Col. 4, Lines 37-40, of Davis in support of this contention. Applicants disagree.

Davis discloses merely an encryption unit capable of encrypting according to a communication key. In contrast, the claimed invention claims a deciding device for deciding whether or not to encrypt. The decision making feature gives the claimed invention the ability to process data and form a decision about whether or not to encrypt. While the claimed invention features an ability to decide to encrypt, Davis only discloses the ability to encrypt.

Davis thus does not disclose the claimed deciding device. For at least this reason, Davis does not teach, or even suggest, a decision device. Thus, reconsideration and withdrawal of the rejection of claims 1 and 7, and all claims that depend therefrom, is respectfully requested.

IV. Rejections Under 35 U.S.C. §103

The Office Action rejects claim 4 under 35 U.S.C. §103(a) over Davis in view of U.S. Patent No. 7,093,295 to Saito (Saito) and rejects claims 2, 5-13 and 18 under 35 U.S.C. §103(a) over Davis in view of Saito and further in view of U.S. Patent No. 5,677,952 to Blakley III (Blakley). Applicants respectfully traverse these rejections.

Applicants respectfully submit that claims 2, 4-13 and 18 are dependent upon either amended independent claim 1 or 17, which as discussed above, are not taught or suggested by Davis. Furthermore, neither Saito nor Blakley teach or suggest the claimed deciding device,

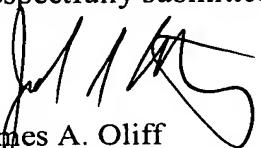
and thus do not overcome the deficiencies of Davis. For at least this reason, dependent claims 2, 4-13 and 18 cannot possibly have been rendered obvious in view of Blakley, Saito and Davis alone, or in any combination. Thus, reconsideration and withdrawal of the rejections is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application is earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:CJW/tbm

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